

**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF SOUTH CAROLINA
GREENWOOD DIVISION**

**In re:
Building Materials Corporation of America
Asphalt Roofing Shingle Products Liability
Litigation**

MDL No. 8:11-mn-02000-JMC

**This filing relates to the Management File
here captioned and the following related
civil actions:**

All Actions

**ORDER FOR REIMBURSEMENT OF FUNDS DEPOSITED INTO THE COURT'S
REGISTRY**

This matter is before the court as a result of an issue raised on behalf of Special Master John P. Linton (the "Special Master") in correspondence dated July 12, 2016. (See attached Ex. – Correspondence from Special Master Linton.) In this letter and its attachment, the Special Master informed the court that the following Settlement Class Members were entitled to a refund of the \$200.00 filing fee that they paid into the court's registry: 1) Penny and Dale Seibert, 390 Silver Moss Lane, Tarpon Springs, FL 36488, Receipt No. ¹; 2) Cynthia Garufi, 802 Turtle River Court, Plant City, FL 33567, Receipt No. SCX300064619; 3) Jacquelyn and Richard Keller, 12 Island View Lane, Kankakee, IL 60901, Receipt No. ; 4) John Grot, 893 Day Lake Drive, Midland, GA 31820, Receipt No. SCX300064407; 5) Marlene and Harland Clark, 25 3rd St. South, Long Prairie, MN 56347, Receipt No. SCX300065837; 6) Jerry Humphrey, 549 Glen Eagles Avenue, Gulf Shores, AL 36542, Receipt No. SCX300064493; 7) Okey George, 5960 Siegen Lane, Apt. 10205, Baton Rouge, LA 70809, Receipt No. ; 8) Michael Calderone, 770 Eighth St., Hammonton, NJ 08037, Receipt No. SCX300064492; 9) Patricia Harada and

¹ The receipt number was unavailable on the docket for the Seiberts, the Kellers, the Metallos, and Okey George.

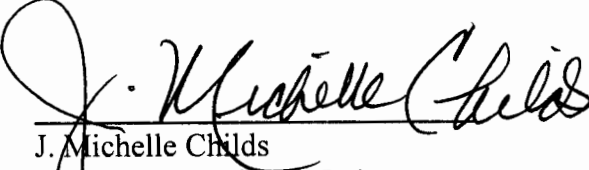
Thomas Rowland, 939 Illinois Road, Wilmette, IL 60091, Receipt No. SCX300064220; 10) William and Jerry Martin, 18 Imperial Pl., Lafayette, IN 47905, Receipt No. SCX300064094; 11) Vincent and Margaret Metallo, 9124 Todd Avenue, Ft. Howard, MD 21052, Receipt No. __; 12) Mohammed and Patricia Ounallah, 301 Sardis Grove Lane, Matthews, NC 28105, Receipt No. SCX300064148; 13) Joyce Robinson, 5604 Sorrell Crossing, Raleigh, NC 27617, Receipt No. SCX300064037; and 14) John and Linda Sharkey, 123 Range Heights Road, Lynn, MA 01904, Receipt No. SCX30064767.

Upon review, the court observes that the Settlement Class Members are entitled to a refund of their \$200.00 filing fee under Section 7.16(h) of the Settlement Agreements when they demonstrate that the request for independent review by the Special Master was not fraudulent. (ECF Nos. 117-2 at 36 & 118-2 at 35). In this regard, the court has considered the particulars raised in the Special Master's correspondence and finds that they have merit. Accordingly, pursuant to the authority provided in section 15.4 of the Settlement Agreements,² the court finds that the above-named Settlement Class Members are entitled to a refund of their filing fees, which fees are currently being held in the registry in the Office of the Clerk of Court. Accordingly, the court **DIRECTS** the Office of the Clerk of Court to disburse the \$200.00 filing fee plus accrued interest to each of the aforementioned Settlement Class Members and mail the refund by First Class United States Mail to the addresses provided in this Order.

² "The Court shall retain exclusive and continuing jurisdiction to interpret and enforce the terms, conditions, and obligations of this Agreement and the Court's orders and judgments. The Court may exercise all equitable powers over the Parties to enforce this Agreement and the Final Order and Judgment." (ECF Nos. 117-2 at 54 § 15.4 & 118-2 at 55 § 15.4.)

IT IS SO ORDERED.

July 15, 2015
Columbia, South Carolina



J. Michelle Childs
United States District Judge